



IDT America, Corp.  
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Newark, New Jersey 07102-3111

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SC PUBLIC SERVICE  
COMMISSION

October 6, 2014

Ms. Jocelyn Boyd  
Chief Clerk  
South Carolina Public Service Commission  
101 Executive Center Drive  
Columbia, SC 29210

**Re: Application of IDT America, Corp. for a Certificate of  
Public Convenience and Necessity to Provide Local  
Telecommunications Services in the State of South Carolina  
Docket No. 2003-073-C**

Dear Chief Clerk Boyd:

In Order No. 2003-362 ("Order") in the above listed docket,<sup>1</sup> the Commission authorized IDT America, Corp. ("IDT") to provide competitive local exchange service in South Carolina. Exhibit 1 of the Order is a Stipulation entered into between IDT and the South Carolina Telephone Coalition which imposed certain conditions upon IDT's provision of local exchange service in South Carolina. Most notably, IDT agreed to "provide service only to customers located in non-rural local exchange company ("LEC") service areas of South Carolina,"<sup>2</sup> subject to certain notice provisions and the opportunity of those provided notice to take certain actions. Specifically, IDT is obligated to "provide[] such rural incumbent LEC and the Commission with written notice of its intent to [provide local exchange service] at least thirty (30) days prior to the date of intended service."<sup>3</sup> In accordance with this obligation, IDT hereby provides notice to the Commission and to PBT Telecom, Inc. ("PBT") that IDT intends to provide local exchange service to one or more customers within the incumbent territory of PBT in the near future. While a specific start date has not been determined, in accordance with the Stipulation, the date shall not be sooner than thirty (30) days from the date the Commission and PBT receive this letter.

IDT is aware that under the terms of the Stipulation, PBT and/or the Commission may take certain actions that will delay IDT's entrance into the local exchange telecommunications marketplace in the incumbent PBT region. IDT respectfully requests that the Commission not institute a proceeding of its own in response to this Notice and that it limit any PBT-initiated proceeding in both scope and time, as any proceedings will

<sup>1</sup> See, Attachment 1.

<sup>2</sup> See, ¶ 2 of Stipulation.

<sup>3</sup> *Id.* at ¶ 4.

serve to delay the introduction of competitive local exchange service to consumers within the PBT incumbent region.

IDT intends to operate, at least initially, as a provider of telecommunications services to our customer, Atlantic Broadband Finance, LLC ("Atlantic"), which shall provide an interconnected VoIP, cable television and Internet service "bundle" to its end users within the incumbent PBT region. In this regard, IDT's role is comparable, if not identical, to that of IDT's commercial relationship with Atlantic in the Williston Tel incumbent region. Moreover, this business model was effectively reviewed and approved of by the Commission in Docket Nos. 2008-325-C, 2008-326-C, 2008-327-C, 2008-328-C and 2008-329-C, where the Commission granted authorization to Time Warner to partner with its wholesale provider Sprint to offer local exchange service in the incumbent service areas of Farmers Telephone Cooperative, Fort Mill Telephone Company, Home Telephone Company, PBT Telecom and Rock Hill Telephone Company, respectively. Consistent with that Order, IDT affirms its commitment to abide by all applicable requirements of a CLEC within the PBT incumbent region including, but not limited to properly identifying all traffic, contributing to the State Universal Service Fund based upon applicable revenue, and assigning telephone numbers properly within their associated rate centers, and opposes any requirements that do not apply to all CLECs.

*CW* - Enclosed are the original and fifteen (15) copies of this letter filed on behalf of IDT America, Corp. Please acknowledge your receipt of this document by file-stamping the additional copy of this letter and returning it in the enclosed envelope.

If you have any questions or need additional information, please do not hesitate to contact me at [Carl.Billek@idt.net](mailto:Carl.Billek@idt.net).

Respectfully submitted,

*Carl Billek*

Carl Billek  
IDT America, Corp.

Enclosure

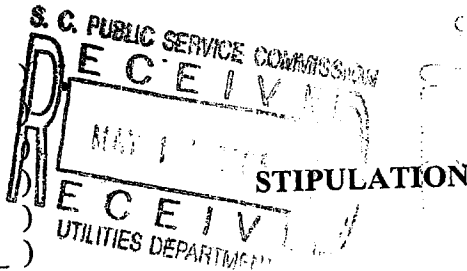
cc: Ben Spearman, Vice President – Business Development, PBT Telecom, Inc.

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

*jud 5/12/03*

Docket No. 2003-073-C

Re: Application of IDT America Corp. for  
a Certificate of Public Convenience and  
Necessity to Provide Local Exchange  
Telecommunications Services in the State  
of South Carolina



The South Carolina Telephone Coalition ("SCTC") (see attachment "A" for list of companies) and IDT America Corp. ("IDT America") hereby enter into the following stipulations. As a consequence of these stipulations and conditions, SCTC does not oppose IDT America's Application. SCTC and IDT America stipulate and agree as follows:

1. SCTC does not oppose the granting of a statewide Certificate of Public Convenience and Necessity to IDT America, provided the South Carolina Public Service Commission ("Commission") makes the necessary findings to justify granting of such a certificate, and provided the conditions contained within this stipulation are met.
2. IDT America stipulates and agrees that any Certificate which may be granted will authorize IDT America to provide service only to customers located in non-rural local exchange company ("LEC") service areas of South Carolina, except as provided herein.
3. IDT America stipulates that it is not asking the Commission to make a finding at this time regarding whether competition is in the public interest for rural areas.
4. IDT America stipulates and agrees that it will not provide any local service, by its own facilities or otherwise, to any customer located in a rural incumbent LEC's service area, unless and

*OK*

until IDT America provides such rural incumbent LEC and the Commission with written notice of its intent to do so at least thirty (30) days prior to the date of the intended service. During such notice period, the rural incumbent LEC will have the opportunity to petition the Commission to exercise all rights afforded it under Federal and State law. Also, IDT America acknowledges that the Commission may suspend the intended date for service in rural LEC territory for ninety (90) days while the Commission conducts any proceeding incident to the Petition or upon the Commission's own Motion, provided that the Commission can further suspend the implementation date upon showing of good cause.

5. IDT America stipulates and agrees that, if IDT America gives notice that it intends to serve a customer located in a rural incumbent LEC's service area, and either (a) the Commission receives a Petition from the rural incumbent LEC to exercise its rights under Federal or State law within such 30-day period, or (b) the Commission institutes a proceeding of its own, then IDT America will not provide service to any customer located within the service area in question without prior and further Commission approval.

6. IDT America acknowledges that any right which it may have or acquire to serve a rural telephone company service area in South Carolina is subject to the conditions contained herein, and to any future policies, procedures, and guidelines relevant to such proposed service which the Commission may implement, so long as such policies, procedures, and guidelines do not conflict with Federal or State law.

7. The parties stipulate and agree that all rights under Federal and State law are reserved to the rural incumbent LECs and IDT America, and this Stipulation in no way suspends or adversely affects such rights, including any exemptions, suspensions, or modifications to which they may be entitled.